

DELEGATED APPROVAL FORM
DIRECTOR, REAL ESTATE SERVICES
MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2023-071

Approved pursuant to the Delegated Authority contained in Article 2 of City of Toronto Municipal Code Chapter 213, Real Property

Prepared By:	Myron Menezes	Division:	Corporate Real Estate Management
Date Prepared:	March 3, 2023	Phone No.:	(416) 338-3586

Purpose	To obtain authority for City of Toronto (the "City") to enter into an easement release agreement (the "Agreement") with 2649100 Ontario Inc. (the "Owner") for the release of an existing easement in favour of the City registered as instrument NY526170E (the "Easement") over Part 4 of Plan 66R-24444, attached hereto as Appendix "B" (the "Easement Lands").
Property	A portion of the lands municipally known as 2277-2295 Sheppard Avenue West, Toronto, Ontario, legally described as Block 150, Plan 66M2474, being PIN 10292-0722 (LT), as shown approximately on the location map attached hereto as Appendix "A" (the "Lands").
Actions	1. Authority is granted to enter into the Agreement with the Owner, substantially on the terms and conditions outlined below, and on such other or amended terms and conditions as may be satisfactory to the approving authority herein, and in a form acceptable to the City Solicitor;
Financial Impact	The release of the Easement will generate revenue to the City in the amount of \$270,000 (or \$305,100 inclusive of HST) and will be directed to the Land Acquisition Reserve Fund (XR1012). The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial implications as identified in the Financial impact section.
Comments	The Easement, in favour of the City, was acquired on December 11, 1967 for maintenance work of a slope along the frontage of Sheppard Avenue West between Abraham Welsh Road and Canadian Pacific Railway. The Owner is seeking to develop the Lands into a subdivision in addition to a retail portion and submitted a development application to the City. City Planning approved development application number 01 036261 NNY 07 OZ for the Lands. Transportation Services Division no longer requires any maintenance of the slope because the Owner, as a requirement of their development application, has built a new permanent retaining wall in its place.
Terms	The Owner shall provide the City with payment in the amount \$270,000 plus HST as compensation for the release of the Easement on the Easement Lands over Part 4 of Plan 66R-24444, and to provide the City with an executed acknowledgment releasing and forever discharging the City from any and all claims, actions, and demands for compensation arising from the City's release of the Easement over the Easement Lands (the "Acknowledgement"). Transferor: City of Toronto Transferee: 2649100 Ontario Inc. Interest being released: The City transfers, releases and abandons the Easement from the Easement Lands registered as Instrument No. NY526170E. Consideration: \$270,000 plus applicable HST (the "Release Fee") Conditions: Prior to the release of the Easement, the Owner shall: (1) pay the Release Fee to the City and any other fees as set out in the Agreement; and (2) deliver to the City an executed copy of the Acknowledgement.

Property Details	Ward:	7 – Humber River-Black Creek
	Assessment Roll No.:	190801251016805
	Approximate Size:	
	Approximate Area:	537.4 m2 ± (5,785 ft2 ±)
	Other Information:	

A.	Manager, Real Estate Services has approval authority for:	Director, Real Estate Services has approval authority for:
<p>1. Acquisitions:</p> <p>2A. Expropriations Where City is Expropriating Authority:</p> <p>2B. Expropriations For Transit-Related Purposes Where City is Property Owner or Has Interest in Property Being Expropriated:</p> <p>3. Issuance of RFPs/REOIs:</p> <p>4. Permanent Highway Closures:</p> <p>5. Transfer of Operational Management to Divisions, Agencies and Corporations:</p> <p>6. Limiting Distance Agreements:</p> <p>7. Disposals (including Leases of 21 years or more):</p> <p>8. Exchange of land in Green Space System & Parks & Open Space Areas of Official Plan:</p> <p>9. Leases/Licences (City as Landlord/Licensors):</p> <p>10. Leases/Licences (City as Tenant/Licensee):</p> <p>11. Easements (City as Grantor):</p> <p>12. Easements (City as Grantee):</p> <p>13. Revisions to Council Decisions in Real Estate Matters:</p> <p>14. Miscellaneous:</p>	<p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.</p> <p><input type="checkbox"/> (b) Request Hearings of Necessity.</p> <p><input type="checkbox"/> (c) Waive Hearings of Necessity.</p> <p>Delegated to more senior positions.</p> <p>Delegated to more senior positions.</p> <p>Delegated to more senior positions.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p>Delegated to more senior positions.</p> <p><input type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$50,000.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding three (3) months, including licences for environmental assessments and/or testing, etc.</p> <p>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$50,000.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p>Delegated to more senior positions.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p>Delegated to more senior positions.</p> <p>Delegated to more senior positions.</p>	<p><input type="checkbox"/> Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.</p> <p><input type="checkbox"/> (b) Request Hearings of Necessity.</p> <p><input type="checkbox"/> (c) Waive Hearings of Necessity.</p> <p><input type="checkbox"/> Issuance of RFPs/REOIs.</p> <p><input type="checkbox"/> Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.</p> <p>Delegated to more senior positions.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> Exchange of land in Green Space System and Parks and Open Space Areas of Official Plan.</p> <p><input type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$1 Million.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding six (6) months, including licences for environmental assessments and/or testing, etc.</p> <p>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$1 Million.</p> <p><input type="checkbox"/> (a) Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> (b) When closing roads, easements to pre-existing utilities for nominal consideration.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).</p> <p><input type="checkbox"/> (a) Approvals, Consents, Notices and Assignments under all Leases/Licences</p> <p><input checked="" type="checkbox"/> (b) Releases/Discharges</p> <p><input type="checkbox"/> (c) Surrenders/Abandonments</p> <p><input type="checkbox"/> (d) Enforcements/Terminations</p> <p><input type="checkbox"/> (e) Consents/Non-Disturbance Agreements/Acknowledgements/Estoppel Certificates</p> <p><input type="checkbox"/> (f) Objections/Waivers/Cautions</p> <p><input type="checkbox"/> (g) Notices of Lease and Sublease</p> <p><input type="checkbox"/> (h) Consent to regulatory applications by City, as owner</p> <p><input type="checkbox"/> (i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title</p> <p><input type="checkbox"/> (j) Documentation relating to Land Titles applications</p> <p><input type="checkbox"/> (k) Correcting/Quit Claim Transfer/Deeds</p>

B. Director, Real Estate Services and Manager, Real Estate Services each has signing authority on behalf of the City for:

- Documents required to implement matters for which each position also has delegated approval authority.
- Expropriation Applications and Notices following Council approval of expropriation (Managers whose position includes responsibility for implementing Council-approved expropriations are the only Managers with such signing authority).

Director, Real Estate Services also has signing authority on behalf of the City for:

- Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.
- Community Space Tenancy Leases approved by delegated authority by the Deputy City Manager, Corporate Services and any related documents.

Pre-Condition to Approval

Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property

Consultation with Councillor(s)

Councillor:	Anthony Perruzza	Councillor:	
Contact Name:	Matias de Dovitiis	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> E-Mail <input checked="" type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>	Contacted by:	Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	No objections – December 10, 2021	Comments:	

Consultation with Divisions and/or Agencies

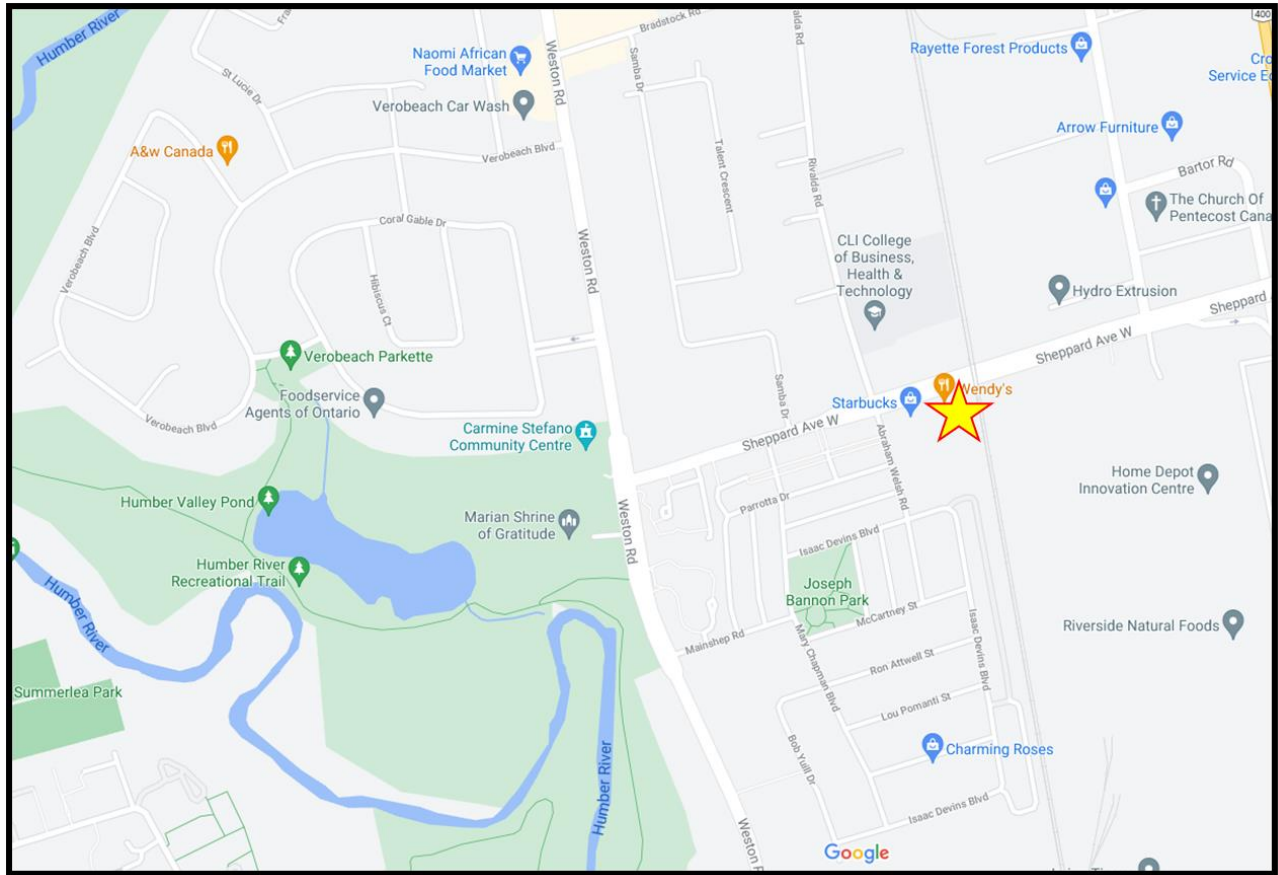
Division:	Transportation Services	Division:	Financial Planning
Contact Name:	Mike Hooper and Phelia Kung	Contact Name:	Patricia Libardo
Comments:	Comments incorporated – August 22, 2018	Comments:	Comments incorporated – July 8, 2021

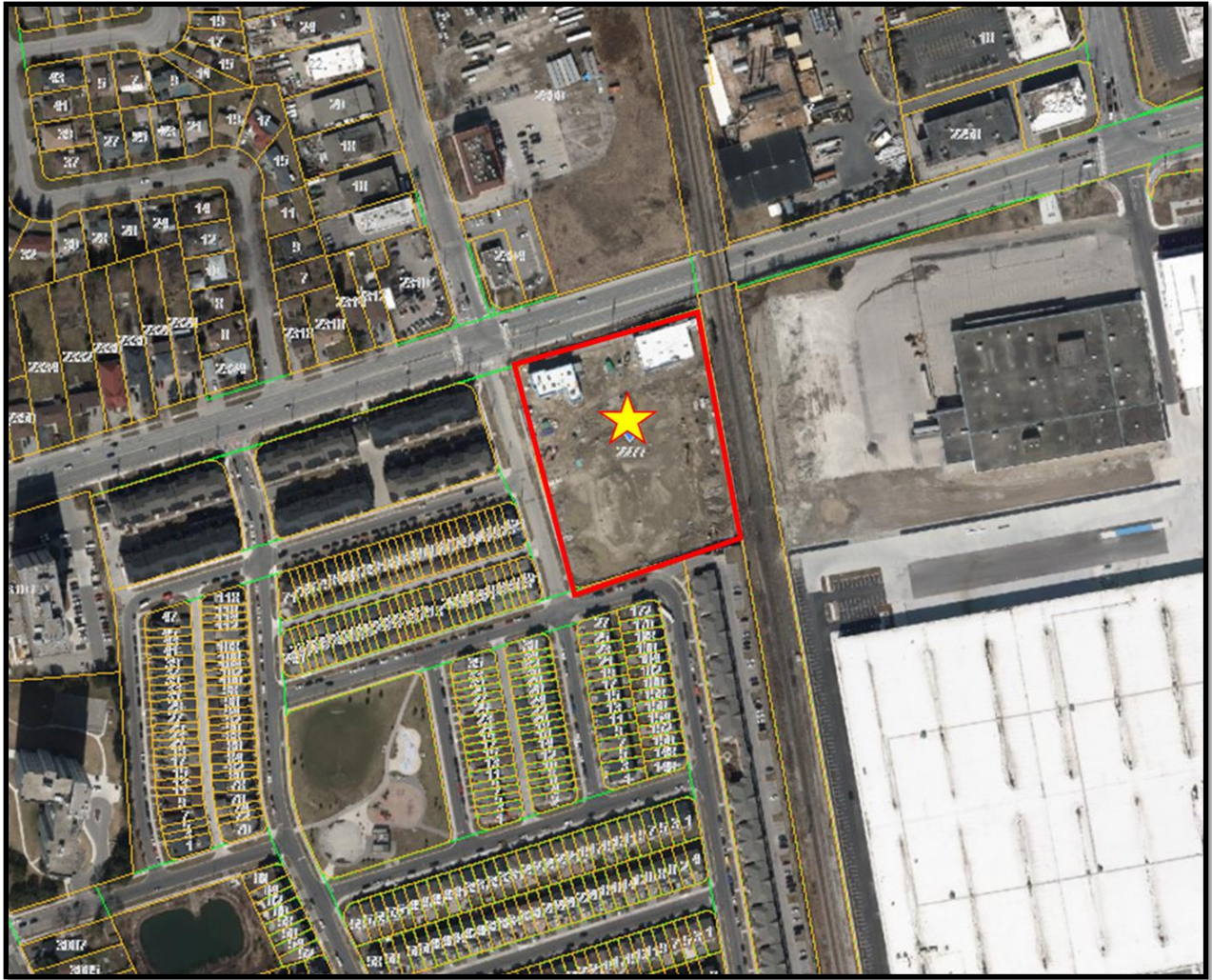
Legal Services Division Contact

Contact Name: Gloria Lee - December 6, 2021

DAF Tracking No.: 2023-071	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Ronald Ro	March 15, 2023	Signed by Ronald Ro
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Acting Director, Real Estate Services Vinette Prescott-Brown	March 17, 2023	Signed by Vinette Prescott-Brown

Appendix "A" Location Map





Appendix "B" – Easement Lands

